IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.7256 OF 2000

Dated: August 29, 2007

Between:

K.M.A.A.M. Junior College, Chandole, Guntur District, rep. by its Secretary-cum-Correspondent Syed Yaqub Ali, S/o. M.A. Azeem Muskem, Aged about 54 years.

… Petitioner

And

The State of Andhra Pradesh, rep. by its Secretary, Higher Education Dept., Secretariat Buildings, Hyderabad, and others.

… Respondents

Order:

Petitioner, an unaided junior college, has filed this writ petition seeking Mandamus to direct the respondents to adjust the amount of Rs.2,08,000/- payable by it towards Corpus Fund in the amount of Rs.3,58,815/- payable to it by the Government as Fee Compensation Grant.

In the affidavit filed in support of the writ petition, it is stated that petitioner-college was established in the year 1992 and was certified as a minority educational institution. The grievance of the petitioner is that though an amount of Rs.2,08,000/- is payable by it towards Corpus Fund for its establishment, however, as per the policy of the Government, it is entitled for Fee Compensation Grant to a tune of Rs.3,58,815/-; as such the Corpus Fund payable by it can be adjusted in the amount payable by the Government towards Fee Compensation Grant to private unaided junior colleges.

Fourth respondent has filed counter affidavit stating that no budget was made available by the Government for release of amount towards Fee Compensation Grant to private unaided junior colleges.

It is not in dispute that Corpus Fund has to be deposited by the promoter for running an institute as per the notified conditions. Petitioner cannot seek adjustment of amount payable by it in the amount allegedly receivable by it from the Government towards Fee Compensation Grant, on the ground that such grant is pending from the Government, more so, when it is specifically stated in the counter affidavit that no budget is received for such grant.

The writ petition is devoid of merits and is accordingly dismissed. No order as to costs.

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JUSTICE R. SUBHASH REDDY.

August 29, 2007
MRR